

### **REMARKS/ARGUMENTS**

Claims 1, 4-19, 30, 33-49, 66 and 69-84 are currently pending in the application. Claims 20-29, 50-65 and 85-94 have been withdrawn in response to a restriction requirement with traverse. Claims 2-3, 14, 31-32, 44, 67-68 and 79 have been canceled without prejudice. Claims 1-19, 30-49 and 66-84 were rejected in the Office Action mailed September 18, 2008 (hereinafter referred to as "Office Action"). In view of the following remarks and amendments, applicants respectfully request a timely Notice of Allowance be issued in this case.

#### ***Claim Rejections under 35 U.S.C. § 103***

The Office Action rejected claims 1, 4-19, 30, 33-49, 66, 69-84 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,153,943 to Mistr, Jr. (hereinafter referred to as Mistr) in view of U.S. Patent No. 4,802,100 to Aasen et al. (hereinafter referred to as "Aasen"). Applicant respectfully submits that the cited references fail to meet the required standard of rejection under 35 U.S.C. § 103 because the combination of Mistr and Aasen, either alone or in combination do not disclose, teach or suggest each and every limitation of claims 1, 4-13, 15-19, 30, 33-43, 45-49, 66, 69-78, and 80-84, as amended, for at least the following reasons.

#### ***Claims 1, 30 and 66***

Applicant respectfully submits that Mistr discloses two electrical sources (motor/generator 35 and AC power source 36) electrically connected to an electrical load 37 (see Figure 1; col. 12, lines 40-41). Applicant respectfully submits that Mistr does not disclose, teach or suggest two or more available power sources comprising two or more mechanical sources that are connected to the device via one or more couplings as recited in claims 1, 30 and 66, as amended. In addition, applicant respectfully submits that Aasen does not cure this deficiency.

Moreover, MPEP Section 2143.01 (VI) states "[i]f the proposed modification or combination of the prior art would change the principle of operation of the prior art invention being modified, then the teachings of the references are not sufficient to render the claims *prima facie* obvious." Applicant respectfully submits that claims 1, 30 and 66 are not obvious in view of Mistr because modifying Mistr's system designed to "assure uninterrupted conditioned electrical power in the event of a failure of a primary electrical power source" (Abstract (emphasis added)) to a system that has two or more mechanical sources connected to a device would change Mistr's principle of operation.

For all the foregoing reasons, applicant respectfully submits that Mistr and Aasen do not, either alone or in combination disclose, teach or suggest each and every element recited in claims 1, 30 and 66, as amended. Accordingly, applicant respectfully submits that amended claims 1, 30 and 66 are not obvious over the cited references and are,

therefore, allowable under 35 U.S.C. § 103(a). Applicant respectfully requests that the rejection of claims 1, 30 and 66 be withdrawn.

***Claims 4-13, 15-19, 33-43, 45-49, 69-78 and 80-84***

Applicant respectfully submits that claims 4-13, 15-19, 33-43, 45-49, 69-78 and 80-84 depend from claims 1, 30 and 66, which are allowable for the reasons stated above, and further distinguish over the cited references. Therefore, claims 4-13, 15-19, 33-43, 45-49, 69-78 and 80-84 are allowable under 35 U.S.C. § 103(a). Accordingly, Applicant respectfully requests that any rejection of claims 4-13, 15-19, 33-43, 45-49, 69-78 and 80-84 be withdrawn.

***Conclusion***

For the reasons set forth above, applicant respectfully requests reconsideration by the examiner and withdrawal of the restriction requirement. Applicant submits that claims 1, 4-13, 15-19, 30, 33-43, 45-49, 66, 69-78, and 80-84 are fully patentable. Applicant respectfully requests that a timely Notice of Allowance be issued in this case. If the examiner has any questions or comments, or if further clarification is required, it is requested that the examiner contact the undersigned at the telephone number listed below.

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Respectfully submitted,

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